IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLAGTE JURISDICTION

CRIMINAL APPLICATION NO. 2896 OF 2006.

Rameshchandra Dhulilal Sutar ... Applicant
V/s
The State of Maharashtra ..Respondent.

Mr. J.G. Bhanushali, for the applicant.
Mrs. M. H. Mhatre, A.P.P. for the State.

CORAM : S.C. DHARMADHIKARI, J.
DATE : 21ST AUGUST, 2006.

P.C.

. Heard Mr. Bhanushali appearing for the applicant and Mrs. Mhatre appearing for respondent.

2. The applicant is in custody in CR.No.I- 101/2006 of Wagle Estate Police Station, Thane. The offences alleged are under Sections 465, 467, 468, 471, 474, 420 r/w section 34 of Indian Penal Code.

3. The applicant is in custody since 14th April, 2006.

4. Upon a complaint of the Manager of State Bank of India it is other accused who are suppose to have been involved in forgery and other offences pertaining to Slum Rehabilitation Scheme with regard to the property

of Mhada. All that the applicant's role in the entire episode is that in his printing press at Ballard Pier, Mumbai the documents were printed for which the other accused have paid him some amounts.

5. Mr. Bhanushali contends that the applicant is in the business of printing press and is involved in the same business for the last more than 25 years. During the course of his business, the customers, with whom the applicant had otherwise no occasion to deal with, came to the printing press and for the services rendered paid the amount. The applicant's name was not disclosed in the FIR as well. Nothing has been seized from the present applicant. Apart from the fact that there is printing of documents at his press, which he undertook as a owner of the same, the applicant has not been attributed any other role.

6. The above facts are not disputed by the learned A.P.P. After perusal of these materials and hearing Counsel, in my view, the applicant deserves to be enlarged on bail, more so when accused No.6 Dilip Bhaskar Bhingarde has also been enlarged on bail by this Court.

7. In such circumstances, the following order would meet the ends of justice:-

i) The applicant arrested in connection with CR.No. I- 101/2006 registered with Wagle Estate Police Station, Thane shall be enlarged on bail subject to furnishing a personal bond of Rs. 25,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicant will remain present before the concerned investigating officer once in a fortnight till the charge sheet is filed and subsequently before the trial Court till the conclusion of the trial.

ii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of the trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an authenticated copy of this order.

(S.C. DHARMADHIKARI, J.)